

PATENT

JUL 05 2007

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION OF: BENTLEY ET AL.

APPLICATION No.: 10/647,561

FILED: August 25, 2003

FOR: POLYMER STABILIZED
NEUROPEPTIDES

EXAMINER: Heard, Thomas Sweeney

ART UNIT: 1654

CONF. No: 3230

**Supplemental Information Disclosure Statement After Final Action or
Notice of Allowance but Before Payment of Issue Fee – 37 CFR 1.97(d)**

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

1. Timing of Submission

This information is being filed *after* a final Office action or a Notice of Allowance, whichever occurs first, but before payment of the Issue Fee.

2. Cited Information

- ☒ Copies of references 1-6 are issued patent(s) and published application(s) and are not included (see 37 C.F.R. § 1.98(a)(2)(i)).
- ☒ Copies of references 7-22 are enclosed.

3. Effect of Information Disclosure Statement (37 C.F.R. § 1.97(h))

This Information Disclosure Statement is not to be construed as a representation that: (i) a search has been made; (ii) additional information material to the examination of this application does not exist; (iii) the information, protocols, results and the like reported by third parties are accurate or enabling; or (iv) the cited information is, or is considered to be, material to patentability. In addition, applicant does not admit that any enclosed item of information constitutes prior art to the subject invention and specifically reserves the right to demonstrate that any such reference is not prior art.

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4. Petition – 37 CFR 1.97(d)

Applicant petitions the Patent and Trademark Office to accept this Information Disclosure Statement in light of the certification under 37 CFR 1.97(e) below, and payment of the fee under 37 CFR 1.97(d)(2).

5. Certification Under 37 CFR 1.97(e)

- ☒ In accordance with 37 CFR 1.97(e)(2), the undersigned hereby states that no item of information submitted herewith was cited in a communication from a foreign patent office in a counterpart foreign application, or, to the knowledge of the person signing the certification after making reasonable inquiry, was known to any individual designated in 37 CFR 1.56(c), more than three months prior to the filing of this statement.

6. Fee Payment – 37 CFR 1.97(d)(2)

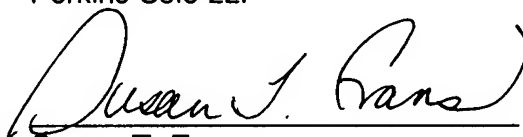
- ☒ Please charge Deposit Account No. 50-2207 for \$180.00 for the Information Disclosure Statement Fee as set forth in 37 CFR §1.17(p).
- ☒ Please charge any underpayment for timely filing of this paper to Deposit Account No. 50-2207.

7. Patent Term Adjustment (37 C.F.R. § 1.704(d))

- ☐ The undersigned states that each item of information submitted herewith was cited in a communication from a foreign patent office in a counterpart application and that this communication was not received by any individual designated in 37 C.F.R. § 1.56(c) more than thirty days prior to the filing of this statement. 37 C.F.R. § 1.704(d).

Respectfully submitted,
Perkins Coie LLP

Date:

July 2, 2007

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Registration No. 38,443
on behalf of Nektar Therapeutics

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT Form PTO-1449 (Modified) Use several sheets if necessary				COMPLETE IF KNOWN	
				Application Number	10/647,561 /
				Confirmation Number	3230
				Filing Date	August 25, 2003
				First Named Inventor	Bentley <i>et al.</i>
				Group Art Unit	1654
				Examiner Name	Heard, Thomas Sweeney
				Attorney Docket No.	41714-8011.US03

U.S. PATENT DOCUMENTS						
Examiner Initials*	Cite No.	U.S. Patent or Application		Name of Patentee or Inventor of Cited Document	Date of Publication or Filing Date of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		NUMBER	Kind Code (if known)			
	1.	5,948,389		Stein, Christoph	9/99	
	2.	6,703,381		Ekwuribe <i>et al.</i>	3/04	
	3.	7,056,500		Bentley <i>et al.</i>	6/06	
	4.	5,359,030		Ekwuribe, Nnochiri N.	10/94	
	5.	6,046,305		Choi, Young Kweon	4/00	
	6.	6,552,170		Thompson <i>et al.</i>	4/03	

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No.	Foreign Patent or Application		Name of Patentee or Applicant of Cited Document	Date of Publication or Filing Date of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Office	NUMBER			

OTHER PRIOR ART-NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume issue number(s), publisher, city and/or country where published.	T
	7.	The Merck Index. 11 th Edition, Budavari <i>et al.</i> Ed, 1989 page 1264 and page 1379.	
	8.	Sakane <i>et al.</i> , <i>Pharm Res.</i> , 14(8):1085-1091 (1997).	
	9.	Weber <i>et al.</i> , <i>J. Pharm. Exp. Ther.</i> , 259(3):1109-1117 (1991).	
	10.	Shimohigashi <i>et al.</i> , 297:333-335 abstract (pages 1-2) (1982).	
	11.	Enzon Pharmaceuticals Catalog, "Macromolecular Engineering Technologies," pp: 1-14 (2004).	
	12.	Nektar Advanced PEGylation Catalog, "Polyethylene Glycol and Derivatives for Advanced PEGylation," pp: 1-21 (2003).	
	13.	Nektar Advanced PEGylation Catalog, "Polyethylene Glycol and Derivatives for Advanced PEGylation," pp: 1-24 (2004).	
	14.	Nektar Advanced PEGylation Catalog, "Polyethylene Glycol and Derivatives for Advanced PEGylation," pp: 1-30 (2005-2006).	
	15.	NOF Corporation Catalog, "Peg Derivatives, Phospholipid and Drug Delivery Materials for Pharmaceuticals," 1: 2-46 (2003)	

EXAMINER	DATE CONSIDERED
*EXAMINER: Initial if reference considered, whether or not criteria is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to application(s).	

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Sheet	2	of	2	Attorney Docket No.	41714-8011.US03

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		Office	NUMBER Kind Code (if known)				
	16.	Polypure Products Catalog, April 2005.					
	17.	Quanta Biodesign Catalog, "Labeling, Derivatization and Crosslinking Reagents for Biological and Related Materials with dPEG," pp: 1-38, March 12, 2004.					
	18.	Quanta Biodesign Catalog, "Labeling, Derivatization and Crosslinking Reagents for Biological and Related Materials with dPEG," pp: 1-31, November 5, 2004.					
	19.	Quanta Biodesign Product Catalog, "Leading Innovator, Producer and Provider of Monodisperse Discrete PEG (dPEG) Derivatives," pp: 1-51, November 17, 2005.					
	20.	Shearwater Polymers, Inc., Catalog, , "Functionalized Biocompatible Polymers for Research Polyethylene Glycol and Derivatives," pp: 2-49 (March, 1995).					
	21.	Shearwater Polymers, Inc., Catalog, "Functionalized Biocompatible Polymers for Research and Pharmaceuticals: Polyethylene Glycol and Derivatives," pp: 2-53 (1997-1998).					
	22.	Shearwater Polymers, Inc., Catalog, "Functionalized Biocompatible Polymers for Research and Pharmaceuticals: Polyethylene Glycol and Derivatives," pp: 2-50 (2000).					

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